

TEMPORARY **NO. 69794T**
**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF
NEVADA HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office MAR 31 2003

Returned to applicant for correction _____

Corrected application filed _____

Map filed FEB 12 2002 under 68350

The applicant **Dry Lake Water, LLC** hereby makes application for permission to change the **point of diversion** of water heretofore appropriated under **Permit #66166**

1. The source of water is **underground**
2. The amount of water to be changed **0.165 cfs and 119.44 afa**
3. The water to be used for **quasi-municipal**
4. The water heretofore permitted for **quasi-municipal**
5. The water is to be diverted at the following point **within NE¼ NE¼ of Sec 13 T19S R63E MDBM at a point that bears N 76° 47' 59" W at a distance of 5180.00 ft to the NW corner of said Sec. 13.**
6. The existing permitted point of diversion is located within **SW¼ NW¼ of Sec 18 T19S R64E MDBM at a point that bears N 18° 28' W at a distance of 2085.0 ft to the NW corner of said Sec. 18**
7. Proposed place of use **See Exhibit A and attached Place of Use Map. Place of Use is identical to that described in Permit #66166. This is not intended to be a change in Place of Use.**
8. Existing place of use **See Exhibit A and attached Place of Use Map. Place of Use is identical to that described in Permit #66166. This is not intended to be a change in Place of Use.**
9. Use will be from **January 1 to December 31** of each year.
10. Use was permitted from **January 1 to December 31** of each year.
11. Description of proposed works **drilled well, casing, submersible pump and motor, distribution system to place of use.**
12. Estimated cost of works **\$5,500,000**
13. Estimated time required to construct works **2 years**
14. Estimated time required to complete the application of water to beneficial use **5 years**

69794T

15. Remarks: This is a temporary application intended solely to allow time for the State Engineer to approve the permanent change applications discussed below and to allow Dry Lake to use the existing well-site construction throughout the approval process. We currently are in contact with protestors of our permanent change applications to obtain their withdrawal of said protests. Water is to be used within Apex Industrial Park using wells BM-1 and BM-2 that were constructed via temporary permits #67139-T and 67141-T which expired on April 8, 2002. Applications #68350-68353 to permanently change the points of diversion for permits #66163-66166 have been filed in the State Engineer's Office to match existing BLM permits. This temporary application corresponds directly to permanent change application #68350 and Temporary Permit #68655-T, approved April 9, 2002 and set to expire on April 8, 2003.

By Adam Titus
s/ Adam Titus
2701 N. Tenaya Way
Las Vegas, NV 89128

Compared jal/gkl

Protsted

~~AGENT~~
~~WITHDRAWN BY APPLICANT~~

JAN 12 2004

L. H. H. P.E.

STATE ENGINEER

EXHIBIT A

Dry Lake Water Company LLC
Application _____ -T, Item #7 & #8

PROPOSED PLACE OF USE

7. Proposed Place of Use: The exact places of use within the Apex Industrial Park are all within the "Place of Use" boundary as shown on the attached "Place of Use" map. The description of the lands within that boundary are more specifically listed below:

Township 17 South, Range 63 East: Parts of Sections 32 and 33

Township 18 South, Range 63 East: Parts of Sections 3, 4, 5, 8, 9, 10, 11, 13, 14, 20, 21, 22, 23, 24, 26, 27, 28, 29, 30, 31, 32, 33, 34, and 35

Township 19 South, Range 63 East: Parts of Sections 2, 3, 4, 5, 6, 7, 8, and 9

EXISTING PLACE OF USE

8. Existing Place of Use: The exact places of use within the Apex Industrial Park are all within the "Place of Use" boundary as shown on the attached "Place of Use" map. The description of the lands within that boundary are more specifically listed below:

Township 17 South, Range 63 East: Parts of Sections 32 and 33

Township 18 South, Range 63 East: Parts of Sections 3, 4, 5, 8, 9, 10, 11, 13, 14, 20, 21, 22, 23, 24, 26, 27, 28, 29, 30, 31, 32, 33, 34, and 35

Township 19 South, Range 63 East: Parts of Sections 2, 3, 4, 5, 6, 7, 8, and 9

